CONSTITUTION

—AND—

BY-LAWS

—OF—

Congregation ✻ Emanu-El

OF VICTORIA, V. I.

Organized, 5622—1862; Incorporated, 5624—1864.

VICTORIA, B. C.:
JAS. A. COHEN, PRINTER, 38 FORT STREET,
1893.

Archives
of
British Columbia

V.I: Folder 7.

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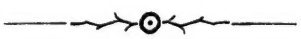

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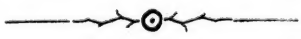

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PREAMBLE.

WHEREAS, according to the holy ordinances of the House of Israel, it is highly necessary to adhere to the religion thereof, and to attend to the dying and burying of the dead; and

WHEREAS the Israelites of Victoria, B. C., are desirous to fulfill the ordinances of our venerated and holy religion, which has been continuously handed down to us by our forefathers.

THEREFORE, we hereby unite and form ourselves into a Congregation this fifth day in the month of Ellel and the year 5622, corresponding with the 31st day of August 1862; and

WHEREAS, all such congregations must be governed by good and wholesome laws; we the undersigned, active members, adopted for our future government the following:

CONSTITUTION.

ARTICLE I.

Sec. 1. The name of this Congregation shall be Emanu-El of Victoria.

Sec. 2. This Congregation, being incorporated under the above name, all monies, bonds, notes,

mortgages, and other securities, leaseholds, reversions, real estate property, and chattels of any kind belonging to this Congregation shall be held in its own name for its sole benefit.

ARTICLE II.

Sec. 1. The affairs of this Congregation shall be managed by a board of officers consisting of a President, Vice-President, Secretary, Treasurer, and five Trustees, to be elected annualy by ballot, each one separately by the qualified voters of the Congregation; but no member shall be eligible to any office unless he has been a member for the preceding six months.

Sec. 2. The Trustees of this Congregation shall be designated numerically, viz.: First, Second, Third, Fourth, and Fifth, in the order of their election. Any Trustee elected to fill an unexpired term, shall rank after the previously elected, who shall therefore be advanced in number for each vacancy.

Sec. 3. Every public act of this Congregation shall be known by the signature of the President and Secretary.

ARTICLE III.

DUTIES OF THE PRESIDENT.

Sec. 1. The president shall preside at all business meetings as well as those of Divine Service.

Sec. 2. The President, with the consent of the Board of Officers, shall appoint a proper person to read services to the Congregation in case no other provisions are made; he shall also, in the same case, distribute all Mitzwas with justness and impartiality.

Sec 3. The President shall have the power to call a special meeting on urgent occasions, and upon application in writing of five members in good standing.

Sec. 4. The President shall on no occassion have a vote except on elections or on an equal division, in which case he shall have the casting vote only.

Sec. 5. He shall preserve order and decorum, and pronounce the decision of the meeting on all subjects; he shall decide questions of order without debate, subject to an appeal to the meeting; he may speak or give his views in explanation of any question provided he vacates the chair.

Sec. 6. The president shall give his written orders to the Treasurer for all monies appropriated by the Board of Officers for the use of the Congreration; he shall make a full and elaborate report every annual meeting, and lay before its members a full account of the standing of the Congregation.

ARTICLE IV.

DUTIES OF VICE-PRESIDENT.

Sec. 1. The Vice-President shall assist the President to preside at all meetings, and, in the absence of the President, act in his stead.

Sec. 2. It shall be the duty of the Vice-President, in case of death, to give proper directions for the funeral; superintend the same; have all members notified to the place appointed for the customary rites of burial, and provide for a Minian during the seven days mourning if so required by the relatives of the deceased.

ARTICLE V.

DUTIES OF THE SECRETARY.

Sec. 1. The Secretary shall keep correct minutes of all proceedings in meetings; he shall keep proper accounts of all monies due and owing to the Congregation by its members; he shall make out monthly bills for dues, and hand them over for collection; receive all monies when collected, and credit the account of members therewith by whom the money has been paid; and all monies received by him he shall deliver to the Treasurer within 48 hours thereafter and take proper receipts therefor. He shall keep a correct list of all members in good standing, and make an annual and semi-annual report of all affairs appertaining to his office; he shall prepare notices for all meetings and deliver them to some one authorized for distribution.

Sec. 2. The Secretary shall keep all correspondence; he shall write all official communications resolved on by the Board of Officers within three days after meeting; his books shall at all times be open for inspection of the Trustees or any other persons or committees so authorized. In his absence the presiding officer shall appoint a Secretary pro-tem.

Sec. 3. The Secretary shall furnish to the presiding officer a list of members not entitled to vote at any general or special meetings. He shall be present at all meetings of the Official Board. He shall cause the necessary books and papers to be of ready access if unable to attend any meeting.

Sec. 4. He shall deliver to his successor in office by order of the President all monies, books, papers, documents, seals and effects of the Congregation then in his possession.

Sec. 5. He shall furnish bond, if found necessary in such sum or sums as the Board of Officers may in the intererest of the Congregation require.

Sec. 6. The Secretary shall be exempt from all dues, taxes and assessments during his term of office.

ARTICLE VI

DUTIES OF THE TREASURER.

Sec. 1. The Treasurer shall take charge of all monies, securities, and property belonging to this Congregation; he shall furnish bonds to the amount of Five Hundred Dollars before he takes charge of his office, and eight days or within that time of his election, otherwise a new election shall be ordered; he shall make payments agreeable to the written order of the President; keep a strict and correct account of all receipts and expenditures and give a full statement and report of all transactions at every regular meeting of the Congregation; his books shall at all times be opened for the inspection of the Trustees, or any other person or persons or committees so authorized; and at the expiration of his term of office he shall deliver over to his successor in office all monies, papers, books and other property belonging to this Congregation.

Sec. 2. The bonds of the Treasurer may be raised at any time when found necessary by the Board of Officers.

ARTICLE VII.

DUTIES OF THE TRUSTEES.

Sec. 1. The board of Trustees shall have entire control and management of the Congregation and

cemetery; they shall have the power to elect members and to act upon their resignations.

Sec. 2. They shall meet once a month, make rules for their own government and for the preservation of order and decorum in the synagogue, and carry out all measures they deem proper and important in promoting the interests of this Congregation.

Sec. 3. They shall be divided into three standing committees, appointed by the president at the first meeting after election, in the following order.

1st. Burial and Cemetery.
2nd. Financial and School.
3rd. Ritual and Synagogue.

The Vice-President shall be chairman of the committee on Cemetery and Burial.

Sec. 4. They shall have the power and it shall be their duty to prescribe rules and regulations to all salaried officers belonging to the Congregation.

ARTICLE IX.

OF MEMBERSHIP.

Sec. 1. Any male Israelite in good standing who may have attained the age of 16 years may become a member of this Congregation on a written application to the board of Trustee.

Sec. 2. Any Israelite who may sign this Constitution within one week after its adoption shall be considered a member of this congregation. All applicants after that time shall pay the sum of two dollars as an admission fee.

Sec. 3. Every member shall pay a monthly contribution of one dollar to commence the first day of the month in which they are elected.

Sec. 4. No person shall be entitled to any privileges of membership until he shall have signed the Constitution.

Sec. 5. A member wishing to resign shall notify his intention to the Board in writing, and no resignation shall be accepted unless the same stands clear of the books.

Sec. 6. Any member in arrears twelve months and having been notified by the Secretary in writing shall be striken from the roll of members.

Sec. 7. A member may be expelled by the congregation for any improper conduct. The manner of proceeding shall be decided upon whenever any such case be before a meeting and a vote of three fourths of the members present shall be required to expel.

Sec. 8. The President is empowered to bring suit in the name of the Congregation against any member in arrears for the sum of fifteen dollars or more.

Sec. 9. No member shall be compelled to serve on more than two committees.

ARTICLE X.

OF MEETINGS.

Sec. 1. There shall be four general meetings in each year, viz.: an annual meeting on the first Sunday in the month of Ellel, (August); a quarterly meeting on the first Sunday in Kislev (November), a semi-annual meeting on the first Sunday in Oder (February), and a quarterly meeting on the first

Sunday in the month of Sivan (May) or as near those days as practicable.

Sec. 2. Ten members shall form a quorum, a majority of whom shall not be trustees.

Sec. 3. Notice of all meetings shall be sent to members by the Secretary.

Sec. 4. The business of the regular meetings shall be taken up in the following order:—

Meeting opened.
Roll called (if required).
Minutes read.
Report of Committees.
Report of officers.
Unfinished business.
New business.
Appointment of Committees.
Election of Officers.

ARTICLE XI.

Sec. 1. The election of officers shall take place on the first Sunday in the month of Ellel (August).

Sec. 2. No person shall be eligible to hold office unless he has been a member six months and stands clear of the books.

Sec. 3. The election shall be conducted by secret ballot and it shall require a majority of all the votes cast to elect.

Sec. 4. Any member six months in arrear shall not be entitled to vote.

Sec. 5. Any vacancy that may occur in the Board shall be filled by an election held on the first regular meeting thereafter.

Sec. 6. Any officer absent from three consecutive meetings, unless excused, shall be deemed to have vacated his seat, and a new election shall be held on the next general meeting to fill the vacancy.

ARTICLE XII.

MISCELLANEOUS.

Sec. 1. On retiring from office, or at the expiration of the term to which they have been elected of President, Secretary and Treasurer or either of them, a committee of three members shall be appointed to examine into the books, accounts, vouchers and other documents of these officers, and report to the Congregation in writing at the next meeting the result of their labor.

Sec. 2. The Congregation at the annual meeting may elect a messenger and collector, whose duty it shall be to collect all monies, distribute all notices, keep the place of public worship in good order and attend to all orders which he may be entrusted with by the Board. The salary of the same to be fixed by the Board of Officers.

Sec. 3. This Congregation shall exist as long as there are five members to support it. In case of a dissolution the property shall remain in trust of the same until another Congregation shall have been formed, when they shall transfer the same to that body.

ARTICLE XIII.

OF AMENDMENTS.

Sec. 1. Any proposition to alter, amend, or repeal the foregoing Constitution or any portion thereof must be presented in writing to the Board of Trustees.

Sec. 2. If a two-third majority of the entire Board approve the same, a special meeting of the Congregation shall be convened and the proposition submitted for action requiring a two-third vote of all the members present to adopt such proposition.

BY-LAWS.

ARTICLE I.

Sec. 1. The collector of the Congregation shall prior to entering upon the duties of the office furnish the Board of Trustees with a bond to the amount of Two hundred dollars with two or more sureties, for such sum or sums of money belonging to the Congregation as may be in his hands from time to time.

Sec. 2. He shall give to the Secretary receipts for all the indebtedness placed in his hands for collection; collect all bills due by members or non-members; and call on every resident member presenting his bill every month, and pay to the Secretary all monies received whenever required to do so by the President or Trustees collectively or singly.

ARTICLE II.

DUTIES OF STANDING COMMITTEES.

Sec. 1. Committee on Burial and Cemetery.—It shall be their duty to take charge of all matters relating to the Cemetery and Interments The Chairman (Vice-President) or acting Chairman shall arrange and supervise all funerals and personally attend those of a deceased member.

Sec. 2. Committee on Finance and School.—This committee shall carefully examine all bills and claims against the Congregation; audit, and report them to the board for final action. They shall examine the semi- and annual reports, books and papers of the Treasurer and Secretary and report on the same to the Congregation with any suggestions they may deem advisable. All bills must be endorsed by the finance committee prior to payment. It shall be their duty to direct and superintend all schools of the Congregation and attend to all matters appertaining to the needs of the scholars in supplying books and necessary wants for their several classes charging same to the parents.

Sec. 3. Committee on Ritual and Synagogue.—It shall be their duty to see that the Synagogue and its furniture are kept in good condition, and if any repairs or improvement becomes necessary to report to the Board. It shall be their province con-jointly with the Minister to consider all changes in the mode of worship and report upon the same to the Board.

ARTICLE III.

DUTIES OF THE MINISTER.

Sec. 1. The Minister shall be present at every service and perform all the functions pertaining to his office; he shall attend all funerals of members and their families. He shall keep a record of births, marriages and deaths, which record shall be the property of the Congregation; and shall perform all such other duties consistent with his station required by the Board of Officers.

Sec. 2. Should any disagreement arise between the Minister and the Board, the matter shall be laid before the members of the Congregation for their adjudication.

Sec. 3. Should the Congregation require the services of a Minister, it shall devolve upon the members to create a revenue for his support prior to his appointment.

ARTICLE IV.

CONTRIBUTIONS.

Sec. 1. Each member shall pay the monthly contribution of one dollar.

Sec. 2. The monthly contribution shall be charged to new members from the first of the month in which they were admitted. Members resigning shall be charged with the contribution to the end of the month in which they do resign.

ARTICLE V.

FEES.

Sec. 1. Members applying for permission to get married, shall pay the sum of ten dollars into the treasury of the Congregation; non-members applying for such permission shall pay the sum of twenty dollars not including in either cases the fees of the officiating Minister.

Sec. 2. Any Israelite who is not a member of the Congregation marrying by authority of the presiding officer of the Congregation, as provided in Sec. 1, shall be entitled to membership if applying therefore within one month without paying the fee, but otherwise complying with and subject to the provision of Sec. 1. Art. 11.

Sec. 3. Any member requiring the services of the Congregation or the officiating Minister must pay up his arrears previous to granting same unless cause be shown to the Trustees who may be empowered to grant the same without payment thereof.

Sec. 4. Non-members requiring the services of the Congregation will have to pay such sum or sums as the Trustees may deem proper, previous to the granting thereof.

ARTICLE VI.

SEATS.

Sec. 1. The Board of Trustees shall annually one month previous to Rosh-Hashanah be empowered to dispose of seats in the synagogue as they may deem proper and profitable.

Sec. 2. No seats shall be exchanged or transferred without the consent of the Committee nor shall seats be taken possession of until rents are paid.

Sec. 3. Persons who are not members of this Congregation may rent seats in the synagogue, the rental of which is to be fixed by the Board of Trustees, who shall require payment prior to occupation.

ARTICLE VII.

Sec. 1. All sepharim and other property deposited in the synagogue shall be under the direction and control of the Board of Trustees, and no person to whom such sephar or other property so deposited shall belong, shall be entitled to any exclusive right or use to the same during the performance of divine service in the synagogue.

ARTICLE VIII.

Sec. 1. Charges for any offense involving sus pension or expulsion, shall be presented in writing at a meeting of the Congregation; if entertained by a two-third vote, a committee of investigation of not less than three members shall be appointed.

The accused shall be furnished with a copy of the charges in writing, and two weeks shall be allowed to meet such charges.

Sec. 2. The Committee shall carefully investigate the evidence for and against the accused, and shall report thereon as soon as possible, giving in writing a detailed statement of the evidence. The Congregation will act expeditiously on the matter, provided however that if the accused shall have failed to take notice of the charges, the Congregation shall then consider any course the committee may report.

Sec. 3. Pending an accusation, the accused, if an officer, shall not exercise the function of his office.

Sec. 4. No person shall be expelled or suspended unless by a majority of two-thirds the votes present.

ARTICLE IX.

Sec. 1. Any member notified to attend a funeral and neglecting to do so shall be subject to a fine of $1.00

Sec. 2. A member not attending Minjan if notified shall be subject to fine of 50c. He may send a substitute in a fitting person.

Sec. 3. Any member of the Board of Trustees not attending a meeting of the Board if notified shall be subject to a fine of $2.00.

Sec. 4. Any member not attending a General Meeting of the congregation if duly notified shall pay a fine of 50c.

Sec. 5. Any member signing a petition for a general meeting or preferring charges and not attending same, shall pay a fine of $5.00.

Sec. 6. Any member leaving a meeting without permission of the presiding officer shall be subject to a fine of one dollar. Any member leaving a meeting so as to destroy a quorum, shall be subject to a fine of five dollars.

Sec. 7. Any member not attending to his duties when appointed on a committee, shall be subject to a fine of one dollar.

Sec. 8. The Board of Trustees shall in all cases have the power to remit the fines specified in the foregoing sections upon reasonable grounds.

Sec. 9. The presiding officer shall have the power to fine members for disorderly conduct at a meeting, with any sum not exceeding Ten Dollars.

ARTICLE X.

To amend, alter, repeal or review any By-law or resolutions passed by this Congregation a majority of two-thirds of all the votes present shall be required, and the proposed revision or alteration shall lie over one meeting for consideration.

CEMETERY.

LAWS GOVERNING SAME.

Application for lots or plots must be made to the Chairman of the Cemetery Committee. The price for such lot or plot shall be paid at the time said lot or plot is allotted.

Grave for adult members	$15 00
" " children over ten years	10 00
" " " under ten years	5 00

NON-MEMBERS.

Grave for adults	25 00
" " children over ten years	15 00
" " " under ten years	7 50

The cemetery committee shall make semi- and annual reports of funds, received, and keep a record of the names of the deceased, age, and nativity; the Congregation holding said record as part and parcel of their property.

Each member shall be charged two dollars ($2.00) annually as a cemetery fund.

All monies collected for cemetry purposes shall be kept separately for the use of the same.

No innovations will be allowed on the cemetery grounds unless authorized by the Board of Trustees.

SCHOOL.

LAWS GOVERNING SAME.

The members of this committee shall use every endeavor to enlist the aid of the parents of members of this congregation to send those of their children able to attend school.

All books necessary for their advancement will be furnished at cost. The parents shall pay for same.

Non-members' children will be charged at the rate of Two dollars monthly.

The school committee will make such alteration as circumstances may demand from time to time.

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The within Constitution and By-laws were revised and amended in the month of March, in the year 1893, corresponding to the month of Oder and the year 5653. Being after due deliberation legally passed by the Congregation as the constituted law governing the Emanu-El of Victoria, V. I., until otherwise ordained.

LIST OF MEMBERS.

A. A. Aaronson.
H. Bornstein.
I. Braverman.
J. A. Cohen.
M. Cohen.
A. Cook.
Joshua Davies.
E. Frank.
J. H. Franck.
M. Guttman.
D. Hart.
J. J. Hart.
S. M. Hartman.
S. Hyams.
J. Isaacs.
G. Leiser.
M. Leiser.
S. Leiser.
J. Lenz.
M. Lenz.
H. A. Levin
H. E. Levy.
A Lewis.
L. Lewis.
F. Landsberg.
M. Marks.
H. Marymont.
J. Marymont.
J. E. Merman.
P. A. Phillips.
N. E. Reinhardt.
M. Strouss.
E. J. Salmon.
H. L. Salmon.
S. Sands.
I. Waxstock.
L. Waxstock.
W. Wolf.